

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA  
3

4 Marcus Sharif McNeal,

5 Petitioner,

6 v.

7 Brian E. Williams, et al.,

8 Respondents.

Case No. 2:16-cv-01618-JAD-EJY

**Order Granting the Respondents' Motion  
to Vacate Stay and Reopen Proceedings**

[ECF No. 105]

9 The respondents move to vacate the stay entered pending resolution of Petitioner Marcus  
10 Sharif McNeal's appeal to the Ninth Circuit Court of Appeals.<sup>1</sup> McNeal filed a Notice of Non-  
11 Opposition.<sup>2</sup> Because the Ninth Circuit Court of Appeals issued its mandate<sup>3</sup> concluding  
12 McNeal's appeal, I grant the respondents' motion and set a briefing schedule for the merits of  
13 McNeal's remaining claims.

14 **IT IS THEREFORE ORDERED** that:

- 15 1. The respondents' **Motion to Vacate Stay and Reopen Habeas Proceedings (ECF No.**  
16 **105) is GRANTED.**
- 17 2. The respondents must file an answer addressing the remaining claims of the fifth  
18 amended petition for writ of habeas corpus by May 6, 2023.
- 19 3. McNeal will have 60 days from the date of service of the answer to file a reply.

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22 U.S. District Judge Jennifer A. Dorsey  
23 Dated: 4/6/23  
24  
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26 <sup>1</sup> ECF No. 105.

27 <sup>2</sup> ECF No. 106.

28 <sup>3</sup> ECF No. 104.